

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD M. DOVE,

Plaintiff,

-against-

CITY OF NEW YORK POLICE
DEPARTMENT, et al.,

Defendants.

No. 14-cv-5285 (LAP)

ORDER

LORETTA A. PRESKA, Senior United States District Judge:

The Court is in receipt of the pro se motion filed by Plaintiff Donald Dove regarding the federal filing fees he claims were taken out of his account that he had already paid. (See dkt. no. 15.) On August 6, 2014, the Court dismissed Plaintiff's complaint without prejudice and certified under 28 U.S.C. § 1915(a)(3) that any appeal from the Court's judgment would not be taken in good faith. (Dkt. no. 9.) In conjunction with that order, the Court also issued an order barring Plaintiff from filing future actions in forma pauperis ("IFP") pursuant to 28 U.S.C. § 1915(g) based on his repeated filing of cases that were dismissed as frivolous, malicious, or for failure to state a claim and his failure to show why a bar order should not be imposed. (Dkt. no. 8.) Shortly thereafter, on August 18, 2014, Plaintiff filed a notice of appeal of the Court's bar order. (Dkt. no. 10.)

A prisoner filing an appeal becomes liable for appellate filing fees before his motion for leave to appeal IFP has been

adjudicated. See Leonard v. Lacy, 88 F.3d 181, 186 (2d Cir. 1996). Based on the records Plaintiff submitted in support of his motion, it appears that on October 9, 2014, he was properly charged a filing fee for his August 18, 2014 appeal (dkt. no. 10) of the Court's bar order. (See dkt. no. 15 at 9.) For any additional information, the Court directs Plaintiff to contact the Clerk of the U.S. Court of Appeals for the Second Circuit.

The Clerk of the Court shall close docket number 15 and mail a copy of this Order to Mr. Dove.

SO ORDERED.

Dated: July 8, 2025
New York, New York


Loretta A. Preska
LORETTA A. PRESKA
Senior United States District Judge